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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MMB Docket No. 1781-0011

Urquhart Reference: SJB/P016692US

Application of: Ashby et al.

Group Art Unit: To be assigned

Serial No. 10/507,165

Examiner: To be assigned

Filed: September 9, 2004

For: A Surgical Navigation Tool

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 18, 2005  
(Date of Deposit)

Paul J. Maginot

Name of person mailing Document or Fee

Paul J. Maginot  
Signature of person mailing Document or Fee

March 18, 2005

Date of Signature

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35**

**U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

**(DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the **Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)**, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
2. Copy of Executed Declaration and Power of Attorney;
3. Return Postcard; and
4. Check for \$130.00 to cover the surcharge for late filing of Declaration.

03/30/2005 SNAJARRO 00000081 10507165

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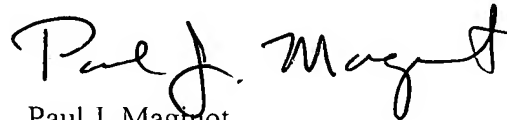
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Commissioner for Patents  
March 18, 2005  
Page 2 of 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment to our Deposit Account No. 13-0014. If extensions of time under 37 C.F.R. § 1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned for, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 13-0014.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP

A handwritten signature in black ink, reading "Paul J. Maginot". The signature is written in a cursive style with a large, stylized "P" and "M".

Paul J. Maginot  
Attorney for Applicants  
Registration No. 34,984

March 18, 2005  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,165	Magnus Odensten	1781-0011

Maginot Moore & Beck  
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 Indianapolis, IN 46204-5115

INTERNATIONAL APPLICATION NO.	
PCT/GB03/01157	
I.A. FILING DATE	PRIORITY DATE
03/17/2003	03/15/2002

**CONFIRMATION NO. 4105**  
**371 FORMALITIES LETTER**



\*OC000000014983340\*

Date Mailed: 01/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/09/2004
- Copy of the International Search Report filed on 09/09/2004
- Information Disclosure Statements filed on 09/09/2004
- Oath or Declaration filed on 09/09/2004
- Request for Immediate Examination filed on 09/09/2004
- U.S. Basic National Fees filed on 09/09/2004
- Priority Documents filed on 09/09/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

MAGINOT, MOORE & BECK

- \$130 Late oath or declaration Surcharge.

JAN 21 2005

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ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,165	PCT/GB03/01157	1781-0011

FORM PCT/DO/EO/905 (371 Formalities Notice)